

**From:** [Schuster, Cindy](#)  
**To:** [Round, Sarah](#)  
**Cc:** [Haggerty, Phylicia](#); [Barber, Anthony](#); [Holsman, Marianne](#); [Schuster, Cindy](#)  
**Subject:** RE: Labor Contracts and Portland Harbor [inquiry from Rep. Bonamici's office]  
**Date:** Tuesday, May 03, 2016 9:15:21 AM

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Sarah,

No, Superfund sites are not always cleaned up by private parties. Sometimes there are no private parties available to conduct a cleanup.

--Cindy

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**From:** Round, Sarah [mailto:[Sarah.Round@mail.house.gov](mailto:Sarah.Round@mail.house.gov)]  
**Sent:** Tuesday, May 03, 2016 8:57 AM  
**To:** Schuster, Cindy  
**Cc:** Haggerty, Phylicia ; Barber, Anthony ; Holsman, Marianne  
**Subject:** RE: Labor Contracts and Portland Harbor [inquiry from Rep. Bonamici's office]  
Cindy – Thank you. Are Superfund sites always cleaned up by private parties doing the contracting and thus never need to follow Davis-Bacon?  
Thanks!

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**From:** Schuster, Cindy [mailto:[Schuster.Cindy@epa.gov](mailto:Schuster.Cindy@epa.gov)]  
**Sent:** Tuesday, May 03, 2016 11:32 AM  
**To:** Round, Sarah  
**Cc:** Haggerty, Phylicia; Barber, Anthony; Holsman, Marianne; Schuster, Cindy  
**Subject:** RE: Labor Contracts and Portland Harbor [inquiry from Rep. Bonamici's office]  
Hello, Sarah.

I confirmed my understanding of Davis Bacon, which applies only when there is a federal job. Private parties do not have to comply with federal acquisition requirements.  
With my regards,  
Cindy

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**From:** Schuster, Cindy  
**Sent:** Thursday, April 28, 2016 3:02 PM  
**To:** Round, Sarah <[Sarah.Round@mail.house.gov](mailto:Sarah.Round@mail.house.gov)>  
**Cc:** Haggerty, Phylicia <[Phylicia.Haggerty@mail.house.gov](mailto:Phylicia.Haggerty@mail.house.gov)>; Barber, Anthony <[Barber.Anthony@epa.gov](mailto:Barber.Anthony@epa.gov)>; Holsman, Marianne <[Holsman.Marianne@epa.gov](mailto:Holsman.Marianne@epa.gov)>; Schuster, Cindy <[Schuster.Cindy@epa.gov](mailto:Schuster.Cindy@epa.gov)>  
**Subject:** RE: Labor Contracts and Portland Harbor [inquiry from Rep. Bonamici's office]  
Hello, Sarah. I've just left you a voicemail message and will follow up further.  
With my regards,  
Cindy

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**From:** Round, Sarah [mailto:[Sarah.Round@mail.house.gov](mailto:Sarah.Round@mail.house.gov)]  
**Sent:** Thursday, April 28, 2016 2:40 PM  
**To:** Schuster, Cindy <[Schuster.Cindy@epa.gov](mailto:Schuster.Cindy@epa.gov)>  
**Cc:** Haggerty, Phylicia <[Phylicia.Haggerty@mail.house.gov](mailto:Phylicia.Haggerty@mail.house.gov)>; Barber, Anthony <[Barber.Anthony@epa.gov](mailto:Barber.Anthony@epa.gov)>; Holsman, Marianne <[Holsman.Marianne@epa.gov](mailto:Holsman.Marianne@epa.gov)>  
**Subject:** RE: Labor Contracts and Portland Harbor [inquiry from Rep. Bonamici's office]  
Thank you. Happy to chat more over the phone. My two additional questions are, if EPA will still be

the contacting agency even if the private parties are organizing the contracting and will federal Davis-Bacon apply?

Thank you.

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**From:** Schuster, Cindy [<mailto:Schuster.Cindy@epa.gov>]

**Sent:** Monday, April 25, 2016 3:31 PM

**To:** Round, Sarah

**Cc:** Haggerty, Phylcia; Barber, Anthony; Holsman, Marianne; Schuster, Cindy

**Subject:** RE: Labor Contracts and Portland Harbor [inquiry from Rep. Bonamici's office]

Hi Sarah, we anticipate that it will be 8 months until we have the record of decision, followed by more months for a cleanup agreement. I can't speculate about parties or their contracts, but I've left you a voicemail message and would be happy to talk to you or arrange a conference call, it that would be helpful.

With my regards,

Cindy

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**From:** Round, Sarah [<mailto:Sarah.Round@mail.house.gov>]

**Sent:** Monday, April 25, 2016 11:39 AM

**To:** Schuster, Cindy <[Schuster.Cindy@epa.gov](mailto:Schuster.Cindy@epa.gov)>

**Cc:** Haggerty, Phylcia <[Phylcia.Haggerty@mail.house.gov](mailto:Phylcia.Haggerty@mail.house.gov)>; Barber, Anthony <[Barber.Anthony@epa.gov](mailto:Barber.Anthony@epa.gov)>; Holsman, Marianne <[Holsman.Marianne@epa.gov](mailto:Holsman.Marianne@epa.gov)>

**Subject:** Re: Labor Contracts and Portland Harbor [inquiry from Rep. Bonamici's office]

Cindy, thank you. Are there any requirements about prevailing wage or use of union labor? Are the private parties contracting the work PRPs and/or LWG?

Sent from my iPhone

On Apr 25, 2016, at 2:08 PM, Schuster, Cindy <[Schuster.Cindy@epa.gov](mailto:Schuster.Cindy@epa.gov)> wrote:

Our Superfund program comments that we first have to have the record of decision at the end of the year, and then we have to have an agreement for cleanup design and construction. Then we expect that private parties, not EPA, will do the work, so private parties will determine the contracting for design and construction.

Please let me know if you have further questions.

With my regards,

Cindy

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**From:** Round, Sarah [<mailto:Sarah.Round@mail.house.gov>]

**Sent:** Monday, April 25, 2016 10:07 AM

**To:** Schuster, Cindy <[Schuster.Cindy@epa.gov](mailto:Schuster.Cindy@epa.gov)>

**Cc:** Haggerty, Phylcia <[Phylcia.Haggerty@mail.house.gov](mailto:Phylcia.Haggerty@mail.house.gov)>

**Subject:** RE: Labor Contracts and Portland Harbor [inquiry from Rep. Bonamici's office]

Thank you!

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**From:** Schuster, Cindy [<mailto:Schuster.Cindy@epa.gov>]

**Sent:** Monday, April 25, 2016 1:05 PM

**To:** Round, Sarah

**Cc:** Haggerty, Phylcia; Schuster, Cindy

**Subject:** Labor Contracts and Portland Harbor [inquiry from Rep. Bonamici's office]

Hi Sarah,

I'm checking whether we have current online information about Superfund contracting and what we might know at this point for Portland Harbor. I'll let you know what I learn.

Cindy

Cindy Colgate Schuster

Congressional Liaison

International Coordinator

U.S. EPA Region 10

Seattle, WA

206-553-1815

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**From:** Round, Sarah [<mailto:Sarah.Round@mail.house.gov>]

**Sent:** Monday, April 25, 2016 9:26 AM

**To:** Schuster, Cindy <[Schuster.Cindy@epa.gov](mailto:Schuster.Cindy@epa.gov)>

**Cc:** Haggerty, Phylicia <[Phylicia.Haggerty@mail.house.gov](mailto:Phylicia.Haggerty@mail.house.gov)>

**Subject:** Labor Contracts and Portland Harbor

Hi Cindy, Last week my boss met with members of the Oregon Building and Construction Trades Council and they asked us to ask the EPA how contracts will be bid for, for the Portland Harbor Superfund site. Of course my boss is very supportive of local, union labor working on the project.

Wanted to see how the Superfund projects usually work, to see if they go through the EPA, or post-record of decision, if certain parties are responsible for organizing and hiring contractors for the clean-up. Also, wanted to confirm that union labor is required?

Thank you!

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Sarah Round

Legislative Assistant

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